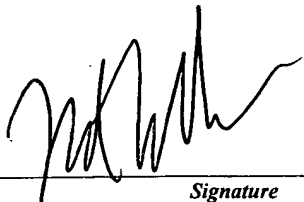


IFW

STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING INFORMATION DISCLOSURE STATEMENT					Docket No. 04150012AA	
In Re Application Of: Hayashi et al.						
Application No. 09/853,622	Filing Date 5-14-01	Examiner Renner, Craig A	Customer No. 30743	Group Art Unit 2652	Confirmation No. 7276	
Invention: A METHOD FOR SMOOTHING A BARRIER LAYER IN A MAGNETORESISTIVE EFFECT SENSOR BY SMOOTHING A LAYER UPON WHICH THE BARRIER LAYER IS FORMED, AND A SENSOR HAVING A BARRIER LAYER FORMED UPON A SMOOTHED LAYER						
<p style="text-align: center;"><u>COMMISSIONER FOR PATENTS:</u></p> <p>This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.</p> <p>Check applicable statement herebelow:</p> <p style="text-align: center;">Statement Under 37 CFR 1.97(e)(1)</p> <p><input checked="" type="checkbox"/> Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.</p> <p style="text-align: center;">Statement Under 37 CFR 1.97(e)(2)</p> <p><input type="checkbox"/> No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div style="text-align: center;"> _____ Signature</div><div style="text-align: right;">Dated: 12-9-04</div></div> <div style="display: flex; justify-content: space-between;"><div><p>Michael E. Whitham Reg. No. 32,635 Whitham, Curtis & Christofferson P.C. 11491 Sunset Hills Road Suite 340 Reston, Va. 20190 703-787-9400 Customer # 30743</p></div><div style="border: 1px solid black; padding: 5px; width: 300px;"><p style="text-align: center;">Certificate of Mailing by First Class Mail</p><p>I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</p><p>_____ (Date)</p><p>_____ Signature of Person Mailing Correspondence</p><p>_____ Typed or Printed Name of Person Mailing Correspondence</p></div></div> <div style="margin-top: 20px;">CC:</div>						



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Hayashi et al.

Serial No. 09/853,622

Group Art Unit: 2652

Filed: 5-14-01

Examiner: Renner, Craig A

For: **A METHOD FOR SMOOTHING A BARRIER LAYER IN A
MAGNETORESISTIVE EFFECT SENSOR BY SMOOTHING A LAYER UPON
WHICH THE BARRIER LAYER IS FORMED, AND A SENSOR HAVING A BARRIER
LAYER FORMED UPON A SMOOTHED LAYER**

Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Under the provisions of 37 C.F.R. 1.97 through 1.98 and pursuant to applicant's duty of disclosure under 37 C.F.R. 1.56, applicant respectfully brings the following documents, cited in a Japanese Office Action and listed on the attached form PTO-1449, to the attention of the Examiner in charge of the above-identified application. Copies of the listed documents are provided herewith for the convenience of the Examiner.

This citation does not constitute an admission that the references are relevant or material to the claims. They are only cited as constituting related art of which the applicant is aware.

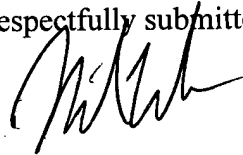
I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to filing of this statement.

In compliance with the requirements of 37 C.F.R. §1.98 (a)(3), as a concise statement of

relevance, as it is presently understood by the individual designated in 35 U.S.C. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of the official action by a foreign examiner in which the reference was cited. The relevance to the pending U.S. Patent application is that the references was cited in a foreign patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the same subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

It is respectfully requested that the listed references be formally made of record in the application. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



Michael E. Whitham
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703-787-9400
Customer # 30743

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

04150012AA

Application Number

09/853,622

Applicant(s)

Hayashi et al.

Filing Date

5-14-01

Group Art Unit

2652

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	1	10-163544	6-19-98	Japan	abstract	only	✓	
	2	2000-101164	4-7-00	Japan	abstract	only	✓	
	3	2000-11333	1-14-00	Japan	abstract	only	✓	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Japanese Office Action dated October 19, 2004 with English translation of pertinent portions

1

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.